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October 30, 2023

VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Sanders*, 22 CR 697 (KPF)

Dear Judge Failla:

I represent Joseph Sanders. The matter is scheduled for a status conference on November 2, 2023, at 11:00 a.m. I write to respectfully request that the matter be adjourned for approximately three weeks. The government has extended a plea agreement in this matter; however, the agreement would include Mr. Sanders having to plead guilty to certain crimes that are beyond the scope of the current indictment. It came to my attention several days ago that Mr. Sanders may not have been provided the discovery for these uncharged crimes.¹ Upon learning of this oversight, I made arrangements for the government to send this additional discovery to Mr. Sanders, which they did. I believe that a final three-week adjournment is sufficient for Mr. Sanders to review this additional discovery and decide whether to plead guilty or to go to trial. This is my third request to adjourn the matter and the government does not object. Should the Court grant the adjournment, I would not object to an exclusion of time pursuant to the Speedy Trial Act.

Respectfully Submitted,

/s/

John P. Buza

cc.: AUSA Adam Sowlati (via ECF)

¹ I was formally appointed to represent Mr. Sanders on April 4, 2023. My understanding is that this relevant discovery was sent to Mr. Sanders's prior counsel just prior to him being relieved. I knew Mr. Sanders had access to the discovery in this matter, but I did know that he did not have the discovery for the uncharged conduct.

Application GRANTED. The status conference scheduled for November 2, 2023 is hereby ADJOURNED to **November 28, 2023**, at **12:00 p.m.** The conference will be held in Courtroom 618 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

It is further ORDERED that time is excluded under the Speedy Trial Act between **November 2, 2023** and **November 28, 2023**. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendant in a speedy trial because it will provide the Defendant with additional time to review relevant discovery, and will permit the parties to continue discussions regarding a pretrial resolution.

The Clerk of Court is directed to terminate the pending motion at docket number 29.

Dated: October 31, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE